

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6358

BILL NUMBER: HB 1042

NOTE PREPARED: Dec 13, 2011

BILL AMENDED:

SUBJECT: Recording of New Lots.

FIRST AUTHOR: Rep. Rhoads

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: *Written Confirmation by Plan Commission-* The bill provides that if an instrument dividing land requires issuance of a new tax identification number: (1) the county auditor may not endorse the instrument; and (2) the recorder may not record the instrument; unless the plan commission executes a written confirmation that the property division complies with local regulations concerning minimum lot frontage, width, and area, and the subdivision and platting of land.

No Fee for Written Confirmation- The bill provides that the plan commission may not charge a fee for issuing a written confirmation.

Recording Confirmation as Attachment- The bill requires that the confirmation must be recorded as an attachment to the instrument.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Written Confirmation by Plan Commission-* It is likely most plan commissions already produce a written confirmation of compliance when properties are divided and new tax identification numbers are assigned. However, the production of written paper copies would increase local expenditures for paper and copy materials, unless electronic copies were considered acceptable and printed out by the auditor upon receipt.

Explanation of Local Revenues: *Recording Confirmation as Attachment-* County recorders may slightly increase revenues from the recording of the written confirmations as attachments to land division instruments in future years. The amount of additional revenue is indeterminable.

Background- Recorders are allowed by law to charge \$2 for each additional sheet attached to a recorded document not more than 8 and ½ inches by 14 inches and \$6 per additional sheet larger than those dimensions.

Auditor Endorsements- Current law (IC 36-2-9-18) allows the county legislative body the option to establish a fee not to exceed \$5 for each deed or legal description of each parcel in a deed of real property that the auditor endorses. Revenue from this fee is placed in a county dedicated fund that is used to maintain plat books.

State Agencies Affected:

Local Agencies Affected: County auditors, local plan commissions, county recorders.

Information Sources: IC 36-2-7-10; IC 36-2-9-18.

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